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13 Tesla, Inc. and Elon Musk

14 UNITED STATES DISTRICT COURT  
15 NORTHERN DISTRICT OF CALIFORNIA  
16 SAN FRANCISCO DIVISION

17 KALMAN ISAACS, individually and on  
18 behalf of all others similarly situated,

19 Plaintiff,

20 v.

21 ELON MUSK and TESLA, INC.,

22 Defendants.

Case No. 3:18-cv-04865-EMC

**STIPULATION REGARDING  
ADMINISTRATIVE MOTION TO  
RELATE CASES AND ~~PROPOSED~~  
ORDER RELATING CASES**

(Civil L.R. 3-12, 7-11, and 7-12)

Judge: Hon. Edward M. Chen

Date Action Filed: August 10, 2018

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO

1 WHEREAS, on August 10, 2018 plaintiff Kalman Isaacs filed a complaint alleging  
 2 violation of the federal securities laws against Tesla, Inc. and Elon Musk, captioned *Isaacs v.*  
 3 *Musk et al.*, Case No. 3:18-cv-04865-EMC (“*Isaacs*”); and

4 WHEREAS, on August 30, 2018 plaintiff Shahram Sodeifi filed a complaint alleging  
 5 violation of the federal securities laws against the same defendants, captioned *Sodeifi v. Tesla,*  
 6 *Inc. et al.*, Case No. 2:18-cv-07575-DMG (“*Sodeifi*”); and

7 WHEREAS, on August 24, 2018, pursuant to the stipulation of the parties, this matter was  
 8 transferred to the Northern District of California and is now assigned to the Honorable Richard  
 9 Seeborg, Case No. 3:18-cv-05899-RS; and

10 WHEREAS the parties believe the actions should be related because (1) they are  
 11 purported class actions, asserting the same causes of action under Section 10(b) and 20(a) of the  
 12 Securities Exchange Act of 1934, against the same defendants, and arising from the same  
 13 circumstances; and (2) it would be unduly burdensome, involve unwarranted duplication of effort  
 14 and expense, and give rise to the prospect of inconsistent or conflicting results if the cases were  
 15 heard by different Judges.

16 IT IS ACCORDINGLY STIPULATED, pursuant to Civil Local Rules 3-12, 7-11 and 7-  
 17 12, by and between undersigned counsel for the parties, that these matters should be related.

18 Dated: September 27, 2018

FENWICK & WEST LLP

19 By: /s/ Jennifer C. Bretan

Jennifer C. Bretan

20 Attorneys for Defendants Elon Musk and Tesla, Inc.

21  
 22 Dated: September 27, 2018

By: /s/ Marc Y. Lazo

Marc Y. Lazo

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26 Attorneys for Plaintiff, Kalman Isaacs  
 27  
 28

1 Pursuant to Local Rule No. 5-1(i)(3), all signatories concur in filling this stipulation.

2 Dated: September 28, 2018


By: /s/ Jennifer C. Bretan  
Jennifer C. Bretan

3 \* \* \*

4  
5 ~~PROPOSED~~ ORDER

6 PURSUANT TO STIPULATION, IT IS SO ORDERED.

7 Dated: October 2, 2018

  
Hon. Edward M. Chen  
United States District Court Judge

FENWICK & WEST LLP  
ATTORNEYS AT LAW  
SAN FRANCISCO